



FH
[REDACTED]

STATE OF WISCONSIN
Division of Hearings and Appeals

In the Matter of

[REDACTED]
[REDACTED]
[REDACTED]

DECISION

SSP/169862

PRELIMINARY RECITALS

Pursuant to a petition filed November 04, 2015, under Wis. Stat. § 49.45(5), and Wis. Admin. Code § HA 3.03, to review a decision by the Division of Health Care Access and Accountability in regard to State Supplemental SSI benefits, a telephonic hearing was held on December 10, 2015.

There is no issue for determination.

There appeared at that time and place the following persons:

PARTIES IN INTEREST:

Petitioner:

[REDACTED]
[REDACTED]
[REDACTED]

;

Respondent:

Department of Health Services
1 West Wilson Street, Room 651
Madison, Wisconsin 53703

By: No Appearance

Division of Health Care Access and Accountability
Madison, WI

ADMINISTRATIVE LAW JUDGE:

Kelly Cochrane
Division of Hearings and Appeals

FINDINGS OF FACT

1. Petitioner (CARES # [REDACTED]) is a resident of Racine County.
2. On September 18, 2015 the agency issued a notice of decision to petitioner stating that effective September 30, 2015 his state SSI benefits would end because his federal SSI was ending because he was found to be an inmate of a public institution.
3. On October 14, 2015 the agency issued a notice of decision to petitioner stating that he was eligible for federal and state SSI effective June 11, 2013.

4. The agency presented evidence to show that he has received his monthly SSI payments from February-November 2015.

DISCUSSION

The agency provided evidence that State SSI payments have been ongoing for petitioner from February-November 2015. As such, there is no issue for determination as there is no indication that his state SSI has been affected.

I note that petitioner appeared at hearing and stated that he really just wanted to have his representative payee changed. There is no evidence to suggest this is an appealable issue over which I have jurisdiction. According to the SSI Handbook, available online at <http://www.emhandbooks.wisconsin.gov/ssi-admin/ssi-admin.htm>, representative payees for SSI recipients are established at the request of a recipient or when a recipient cannot manage his or her own SSI payment benefits. Representative payees may be either individuals, county agencies, or nonprofit agencies. Petitioner should address all inquiries for establishing a representative payee to the Social Security Administration (SSA). See *SSI Administration Handbook*, §3.1.22. I also add for petitioner's information that SSI recipients may receive state SSI payment in the form of a paper check mailed to their address or that of their representative payee or they may opt for electronic funds transfer (EFT) of their payment to a personal savings or checking account at a financial institution. *SSI Administration Handbook*, §2.1.6.

I also provide the following information for petitioner:

You can get information about your state SSI payment by calling the state SSI toll-free number 1-800-362-3002 (voice/TTY) between the hours of 8 a.m. and 4:30 p.m. on business days, or Fax 1-608-221-0991. Or you can write to DHS/State SSI, P.O. Box 6680, Madison, WI 53716-0680. The state SSI Internet address is <http://dhs.wisconsin.gov/ssi/>

You can get more information about federal SSI and how to apply by calling Social Security's toll-free number 1-800-772-1213.

Petitioner also asked for a larger SSI payment. There is no evidence to suggest that petitioner is entitled to more state SSI than he is already receiving. He is receiving \$83.78, which according to the *SSI Administration Handbook*, is the largest payment he can receive. See §4.1.7. Accordingly, I can find no issue for determination as he requests on this issue either.

CONCLUSIONS OF LAW

The matter is moot.

THEREFORE, it is

ORDERED

The petition for review herein is hereby dismissed.

REQUEST FOR A REHEARING

You may request a rehearing if you think this decision is based on a serious mistake in the facts or the law or if you have found new evidence that would change the decision. Your request must be **received within 20 days after the date of this decision**. Late requests cannot be granted.

Send your request for rehearing in writing to the Division of Hearings and Appeals, 5005 University Avenue, Suite 201, Madison, WI 53705-5400 **and** to those identified in this decision as "PARTIES IN INTEREST." Your rehearing request must explain what mistake the Administrative Law Judge made and why it is important or you must describe your new evidence and explain why you did not have it at your first hearing. If your request does not explain these things, it will be denied.

The process for requesting a rehearing may be found at Wis. Stat. § 227.49. A copy of the statutes may be found online or at your local library or courthouse.

APPEAL TO COURT

You may also appeal this decision to Circuit Court in the county where you live. Appeals must be filed with the Court **and** served either personally or by certified mail on the Secretary of the Department of Health Services, 1 West Wilson Street, Room 651, Madison, Wisconsin 53703, **and** on those identified in this decision as "PARTIES IN INTEREST" **no more than 30 days after the date of this decision** or 30 days after a denial of a timely rehearing (if you request one).

The process for Circuit Court Appeals may be found at Wis. Stat. §§ 227.52 and 227.53. A copy of the statutes may be found online or at your local library or courthouse.

Given under my hand at the City of Milwaukee,
Wisconsin, this 18th day of December, 2015

\sKelly Cochrane
Administrative Law Judge
Division of Hearings and Appeals



State of Wisconsin\DIVISION OF HEARINGS AND APPEALS

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The preceding decision was sent to the following parties on December 18, 2015.

Division of Health Care Access and Accountability
State SSI